

Evidence Led Domestic Abuse

Detective Superintendent Andy Gowan

Head of Public Protection

- National Context
- Local Procedures
- Recommendations
- Progress

National Context

- Capacity and Capability of the Criminal Justice System (2015)
- Leading to Deep Dive of DA (Notts - one of pilot forces)
- Best Practice Framework (Dec 2018)
- Criminal Justice Joint Inspection (HMCPSI and HMICFRS) on “Evidence Led Domestic Abuse Prosecutions” (Jan 2020)

Recommendations

- Police and Crown Prosecution Service to share examples of good work and successful outcomes. (Domestic and Sexual Abuse Criminal Justice Group and Domestic Abuse Best Practice Meeting)
- Police and Crown Prosecution Service should ensure that refresher training in domestic abuse, and particularly evidence led cases, is available to staff.
- Police forces with domestic abuse champions should raise awareness of the role and seek to utilise them to maximum effect.
- Police forces should ensure that training, messaging and guidance is clear re evidence led cases
- Robustness of supervisory oversight as other domestic abuse cases.
- Prosecutors should set out whether an evidence led prosecution is viable and, if so, define an effective prosecution strategy

- One omission - “No systematic flag for evidence lead policing” in CPS, Criminal Justice System nor Police.
- National and Regional – no solution

Unresolved outcomes rolling Year to Date to: April 20	Volume	Proportion
9: CPS - prosecution not in public interest	88	0.6%
10: Police - formal action not in public interest	321	2.2%
11: Named suspect below age of criminal responsibility	2	0.0%
12: Named suspect too ill to prosecute	17	0.1%
13: Named suspect but victim/key witness deceased or too ill	4	0.0%
14: Victim declines/unable to support action to identify offender	276	1.9%
15: CPS - named suspect, victim supports but evidential difficulties	2580	17.7%
16: Victim declines/withdraws support - named suspect identified	8547	58.8%
17: Suspect identified but prosecution time limit expired	163	1.1%
18: Investigation complete no suspect identified	385	2.6%
20: Other body/agency has investigation primacy	396	2.7%
21: Police - named suspect, investigation not in the public interest	358	2.5%
Under Investigation	1402	9.6%

Local

Domestic Abuse Procedure

- Body Worn Video
- 999 evidence
- CCTV
- Guidance for retraction statements and special measures
- Attending officers recording relevant comments or behaviour at the scene
- Injury photos, captured on body-worn video or medical consent
- Admissions by defendant
- Bad character evidence
- Hearsay evidence from the victim recorded in officer's statement
- An officer's description of the scene and emotional state of the victim
- Independent eyewitness testimony

- Training – DA Matters - over 1000 plus 142 Champions
- Resources – PP and PHT
- DA Team – handover quality plus prisoner processing
- Still support victims when no prosecution plus DVPOs
- Twice yearly DA audits
- DA deep dive – CREST. Over 450 DA reviews from 2019 – where victim has not cooperated or withdrawn support or evidential difficulties.

Questions ?

Evidence Led Domestic Abuse

Detective Superintendent Andy Gowan
Head of Public Protection